

IN THE MATTER OF THE
PROMULGATION OF
ADMINISTRATIVE RULES

AFFIDAVIT OF MAILING NOTICE
TO INTERESTED PARTIES

I, Delaine Kolbo, under oath, do swear, that on July 28, 2009, I mailed a copy of the notice attached to this affidavit to the list of persons attached to this affidavit. I further swear that the attached list is a true and correct list of all persons who have requested advance notice of rulemaking proceedings by the Public Utilities Commission.

arlynrit@hotmail.com; DMBurger@midamerican.com; city@alliancecom.net;
dmcelroy@siouxfalls.org; ginnybeck@juno.com; gordon@sdipco.com;
javerweg@midamerican.com; jim.mann@mdu.com;
james.c.wilcox@xcelenergy.com; John.I.ness@xcelenergy.com;
ken.mayer@mdu.com; finance@humboldt.sd.com;
melissa.baruth@northwestern.com; michael.sydow@northwestern.com;
pam.bonrud@northwestern.com; rschmidt@watertownmu.com;
Ron.Blum@mdu.com; rwdake@midamerican.com;
skrasmussen@midamerican.com; scott.besmer@mdu.com; smsuur@bhgen.com;
tamie.aberle@mdu.com; tskonhovd@bepc.com



Delaine Kolbo

Subscribed and sworn to
before me this 28th day
of July, 2009.


Notary Public - South Dakota

(SEAL)

My Commission Expires: 7-1-2012

Public Utilities Commission
Notice of Public Hearing to Adopt Rules

A public hearing will be held in Room 414, 4th Floor, State Capitol, Pierre, South Dakota, on August 18, 2009, at 1:30 p.m., to consider the adoption of proposed rules numbered 20:10:37:01 through 20:10:37:19.

The South Dakota Public Utilities Commission (Commission) is proposing to establish rules regarding pipeline safety. The effect of the proposed rules is to establish uniform procedures and standards for pipeline safety inspections and the enforcement of pipeline safety standards. The rules set forth the procedures and standards regarding inspections of pipeline facilities that are subject to the jurisdiction of the Commission. The rules provide the procedures for inspections and inspection reports. The proposed rules set forth the procedures and obligations regarding the handling of possible violations of pipeline safety standards. The rules also address the procedures and standards for reporting and investigating incidents. An incident is an event that the pipeline operator must report to the Commission, such as a release of gas that causes personal injury or property damage. The proposed rules also require a pipeline operator to notify the Commission of the sale of a jurisdictional pipeline facility, set forth notice requirements for transmission line construction, and require the submission to the Commission of an annual report the pipeline operator is currently required to submit to federal authorities.

The reason for the rules is to set forth the obligations of pipeline operators and the Commission and the procedures that will be followed regarding the pipeline safety program. The rules are also designed to make the inspection and enforcement process more transparent and understandable.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Public Utilities Commission, State Capitol, 500 East Capitol, Pierre, South Dakota 57501-5070. Material sent by mail must reach the Public Utilities Commission by August 28, 2009, to be considered.

After the hearing, the Commission will consider all written and oral comments it receives on the proposed rules. The Commission may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Public Utilities Commission at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3201.

Copies of the proposed rules may be obtained without charge from the

South Dakota Public Utilities Commission
State Capitol
500 East Capitol
Pierre, SD 57501-5070

The proposed rules may also be found on the Public Utilities Commission's home page at the following address:

<http://puc.sd.gov/dockets/rulemaking/2009/rm09-001.aspx>